



**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

**NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

F/SER31:AB

Mr. Stanley Meiburg, Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 4  
Atlanta Federal Center  
61 Forsyth Street  
Atlanta, Georgia 30303

Mr. Ron Curry, Regional Administrator  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202

Dear Messrs. Meiburg and Curry:

This letter pertains to our ongoing interagency consultation under Section 7 of the Endangered Species Act (ESA) for all oil and gas related activities in the Gulf of Mexico. Although the Bureau of Ocean Energy Management is the lead action agency, the U.S. Environmental Protection Agency agreed to participate in the consultation as a co-action agency. We have indicated during regularly scheduled calls with your staff, that we will provide draft sections of the biological opinion as they are completed. Attached for your review is a draft containing the first three sections of the biological opinion, *Consultation History*, *Scope of the Opinion and Action Area*, and *Description of the Proposed Action*. The purpose of this technical review is to ensure accuracy and completeness of the proposed action as we proceed with the consultation. Also attached is a revised consultation timeline. According to the timeline, we request that you complete your technical review within 30 days.

In addition to the review, NMFS would like to request the following information:

- An estimate of the number of air permits that will be issued during the life of the consultation (through the year 2022).
- An estimated quantity of operational waste discharges authorized under the National Pollutant Discharge Elimination System general permits. This should include the amount of each type of discharge (produced water, drill cuttings, sanitary waste, etc.) released during the course of the 5 year permits. Our goal is to determine the total amount of waste discharges that will be authorized under this consultation.

Please submit your review electronically in the attached matrix within 30 days. If you require additional time to complete your review, please inform us so the consultation schedule can be revised accordingly. We will continue to work closely with USEPA throughout the consultation process to facilitate the timely exchange of information. If you have any questions, please



contact Adam Brame, [Adam.Brame@noaa.gov](mailto:Adam.Brame@noaa.gov), or Kyle Baker, [Kyle.Baker@noaa.gov](mailto:Kyle.Baker@noaa.gov), at (727) 824-5312.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bernhart", with a long horizontal flourish extending to the right.

David M. Bernhart  
Assistant Regional Administrator  
For Protected Resources

cc: F//PR – Kellie Foster-Taylor

Enc.: 1. Draft Background/Description of the Proposed Action  
2. Consultation Timeline  
3. Comment Matrix

File: 1514-22.J

Ref.: SER-2013-10557